

# SUMMARY MINUTES OF THE SAINT PAUL CITY COUNCIL Wednesday, September 19, 2007 - 3:30 p.m.

# CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at <a href="https://www.ci.stpaul.mn.us/council">www.ci.stpaul.mn.us/council</a> and click on Watch the Live Webcast.

The meeting was called to order at 3:30 p.m. by Council President Lantry.

Present – 6 – Benanav, Bostrom, Harris, Helgen, Lantry, Montgomery

Absent -1 – Thune (arrived after the consent agenda)

### **CONSENT AGENDA (Items 1 - 18)**

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

### COMMUNICATIONS AND ADMINISTRATIVE ORDERS

- 1. Claims of Lauren M. Jacobson, Richard L. Smaller, and George and Blanche Picka. Referred to Risk Management
- Summons and Complaint in the matter of Song Vang and Choua Xiong vs. the City of Saint Paul, et al.
   Referred to the City Attorney's Office
- 3. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on October 3, 2007 to consider the application of the Saint Paul Housing and Redevelopment Authority to rezone property at 615 and 621 Case Avenue (between Payne Avenue and Edgerton Street) from RT2 (Townhouse Residential) to B2 (Community Business). [ZF 07-123-065]
- 4. Letter from Public Works Technical Services announcing a public hearing before the City Council on October 17, 2007 to consider the petition of Shaw Lumber to vacate unimproved Marion Street north of Como Avenue within the Shaw Lumber site in order to clean up property title work prior to registration.

- 5. Letter from the Department of Safety and Inspections/Code Enforcement declaring 963 Burr Street, 182 Front Avenue, 11 Jessamine Avenue East, and 326 Thomas Avenue as nuisance properties, and setting date of Legislative Hearings for September 25, 2007, and City Council public hearings for October 17, 2007.
- 6. Letter from the Department of Safety and Inspections/Code Enforcement declaring 619 Wells Street as nuisance property. (For notification purposes only; a public hearing will be scheduled at a later date if necessary.)
- 7. Letter from the Office of the City Attorney announcing a hearing before an Administrative Law Judge on September 27, 2007, at 9:30 a.m., County Commissioner's Office, 220 City Hall, concerning Restaurant (A) 0-12 Seats License held by Issam Alhuniti d/b/a Chicago Submarine, 614 Selby Avenue.

#### FOR ACTION

8. Approval of minutes of July 11, and 18, 2007. Adopted Yeas – 6 Nays – 0

- 9. Resolution 07-828 Approving the Memorandum of Agreements between the City and AFSCME (Clerical, Technical and Legal); CCEA; Fire Fighters, Machinists, Manual and Maintenance Supervisors; Operating Engineers #70; PED; Police Federation; SPSO; and Tri-Council (Locals 132, 120 & 49) regarding health insurance options and contribution levels for 2008, 2009, and 2010. (Laid over from September 12 for adoption) Adopted Yeas 6 Nays 0
- 10. Resolution 07-856 Approving the September 4, 2007 decisions of the Legislative Hearing Officer on Appeals of Letters, Correction Notices, and Letters of Deficiency for properties at 1077 Lawson Street East, 1771 Dayton Avenue, 60 Hawthorne Avenue East, 800 Robert Street South, and 667 Sims Avenue.

Adopted Yeas - 6 Nays - 0

11. Resolution – 07-857 – Approving the license agreement that allows the proper city officials to enter into agreements with private property owners to locate, repair, and maintain benches along 1,000 routes, including the pilot project, "Rondo Path for Health."

Adopted Yeas - 6 Nays - 0

12. Resolution – 07-858 – Authorizing the Police Department to enter into an agreement with Camp Ripley for use of the United States Army's advanced training facility at Camp Ripley in Fort Ripley, Minnesota from September 24 to 27, 2007.

Adopted Yeas - 6 Nays - 0

- 13. Resolution 07-859 Authorizing the Police Department to reimburse two employees for expenses related to the Southern Police Institute Retraining Conference (SPI).

  Adopted Yeas 6 Nays 0
- Resolution 07-860 Authorizing the Police Department to enter into an agreement with the Minnesota Department of Public Safety for an auto theft grant.
   Adopted Yeas 6 Nays 0
- 15. Resolution 07-861 Authorizing the Police Department to accept a donation of laptop computers and software from the Saint Paul Police Foundation to "The Hut" operated by the God Squad.

Adopted Yeas - 6 Nays - 0

16. Resolution – 07-862 – Approving compensation for property rights needed to improve Leone Avenue and Sigurd Street as part of the White Bear Avenue and Burns Avenue Area Paving and Lighting Project.

Adopted Yeas - 6 Nays - 0

- 17. Resolution 07-863 Waiving the 45-day notice requirement and granting, with conditions, Liquor On Sale and Sunday Liquor On Sale Licenses to Canopy Restaurant Holdings LLC, d/b/a Metro Grill, 2650 University Avenue West.

  Adopted Yeas 6 Nays 0
- 18. Resolution 07-864 Approving the deed from Centex Multi-Family Upper Landing LLC for a vacant parcel located within the City's Chestnut Plaza project area. Adopted Yeas 6 Nays 0

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#### FOR DISCUSSION

19. Resolution – 07-831 – Supporting the privately funded trip of a delegation to Thailand and its mission, authorizing Va-Megn Thoj, Mayor Coleman's Policy Associate, to serve on the delegation, and accepting donations and appropriating them for costs required as part of Va-Megn Thoj's service on the delegation. (Laid over from September 12)

Council President Lantry moved to introduce a substitute resolution.

$$Yeas - 7$$
  $Nays - 0$ 

Councilmember Montgomery talked about the upcoming trip and the importance of making this trip jointly to address this sensitive issue and the importance of reclaiming the bodies for a proper burial.

Councilmember Bostrom stated that there is a difference of opinion regarding this trip and asked for a more detailed explanation. Lantry noted that a resolution was unanimously passed by the Council in 2006 supporting this trip. This resolution simply accepts the funds for travel.

Additional discussion ensued; Councilmember Thune moved approval of the substitute resolution.

Substitute introduced and adopted Yeas - 7 Nays - 0

20. Resolution – 07-865 – Approving the FY2007 Neighborhood Sales Tax Revitalization Large Loan and Grant Awards.

Council President Lantry expressed concern about the item on the list pertaining to ice rinks and the cost involved in light of the proposal to close rec centers. She said she felt it should be voted on in a budget meeting.

Councilmember Helgen said there have been winters where the quality of ice has not been good so he felt this was a positive endeavor. It would provide good quality ice time and serve many people.

Councilmember Benanav also expressed concern with the amount that would be expended for the ice rinks and said he would vote against it.

Councilember Harris said they will have to consider the operating costs when it's discussed at budget hearings. Councilmember Montgomery concurred with this.

Further discussion ensued. Councilmember Montgomery moved approval. Adopted Yeas - 5 Nays - 2 (Benanav, Lantry)

#### **ORDINANCES**

NOTE: AN ORDINANCE IS A CITY LAW ENACTED BY THE CITY COUNCIL. IT IS READ AT FOUR SEPARATE COUNCIL MEETINGS AND BECOMES EFFECTIVE AFTER PASSAGE BY THE COUNCIL AND 30 DAYS AFTER PUBLICATION IN THE <u>SAINT PAUL LEGAL LEDGER</u>.

21. Second Reading – 07-853 – An ordinance amending Chapter 40 of the Saint Paul Legislative Code to provide the Fire Marshal authority to suspend or revoke the fire certificate of occupancy when an owner or interested party cannot be identified after a good-faith effort.

Laid over to October 3 for third reading/public hearing

Councilmember Benanav moved suspension of the rules to introduce the following item: Yeas - 7 Nays - 0

First Reading – 07-887 – An interim ordinance pursuant to Minn. Stat. 462.355, Subd. 4, preserving the status quo regarding a residential property use commonly known as a "sober house" pending the completion of studies of possible amendments to the City's official controls. (GS 3044184)

Laid over to September 26 for Second Reading

The meeting was recessed from 3:58 p.m. to 5:30 p.m.

Roll Call: Present -7 Absent -0

#### **PUBLIC HEARINGS**

22. Third Reading – 07-778 – An ordinance amending Chapter 9 of the Saint Paul Administrative Code, Department of Fire and Safety Services. (GS 3042159)

No one appeared in opposition; Councilmember Thune moved to close the public hearing  $Yeas-7 \qquad Nays-0$ 

Laid over to September 26 for final adoption

Councilmember Harris acknowledged and welcomed students from Macalester College who were attending the City Council meeting.

23. Third Reading – 07-779 – An ordinance amending Chapter 9A of the Saint Paul Administrative Code by creating new legislation entitled "Department of Emergency Management," which permits the creation of an Executive Department of Emergency Management.

No one appeared in opposition; Councilmember Helgen moved to close the public Yeas-7 Nays -0 Laid over to September 26 for final adoption

24. Third Reading – 07-780 – An ordinance amending Chapter 13 of the Saint Paul Legislative Code, Emergency Management.

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing Yeas-7 Nays -0 Laid over to September 26 for final adoption

25. Third Reading – 07-781 – An ordinance placing the position titled Emergency Management Director in the unclassified service pursuant to Section 12.03(H) of the Saint Paul City Charter.

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing Yeas-7 Nays-0 Laid over to September 26 for final adoption

26. Third Reading – 07-801 – An ordinance establishing Sibley Street between Ninth and Tenth Streets as a one-way northbound and Temperance Street between Ninth and Tenth Streets as a one-way southbound.

No one appeared in opposition; Councilmember Thune moved to close the public hearing Yeas-7 Nays -0 Laid over to September 26 for final adoption

27. Resolution – 07-866 – Approving the application for a sound level variance by The Happy Gnome LLC, represented by Nick Miller, owner, in order to present live music, with limitations, at 498 Selby Avenue, from 2:00 p.m. to 11:00 p.m. on September 28, 29, and 30, 2007.

Mr. Westin, owner of the Happy Gnome, appeared and invited all to attend the October Fest Tent Party.

No one appeared in opposition; Councilmember Montgomery moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

28. Resolution – 07-867 – Approving the application of Metro Magazine for a sound level variance for live music, with limitations, from 6:00 p.m. to 10:00 p.m. on September 22, 2007, at Hamm Plaza.

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

29. Resolution – 07-809 – Approving the petition of Terry Miller for Land Capital Group to vacate a seven foot width of right-of-way along Pleasant Avenue south of Jefferson Avenue for future single-family development. (Public hearing continued from September 5)

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted

Yeas - 7

Nays - 0

30. Resolution – 07-868 – Adopting the creation of the Globe Redevelopment Tax Increment District and the Hazardous Substance Subdistrict, and the adoption of the Globe Tax Increment Financing Plan. (GS 3043770)

No one appeared in opposition.

Councilmember Bostrom gave a brief background, description and history of this site.

Councilmember Bostrom moved to close the public hearing and approval.

Adopted

Yeas –7

Nays - 0

31. Resolution – 07-869 – Adopting the creation of the Griffin Redevelopment Tax Increment District and the Hazardous Substance Subdistrict, and the adoption of the Griffin Tax Increment Financing Plan.

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approval.

Adopted

Yeas - 7

Nays - 0

32. Resolution – 07-870 – Approving the National Great River Park Chapter as a new Chapter of the Saint Paul on the Mississippi Development Framework, and as a guiding document for public and private investment, along the 26 miles of Mississippi Riverfront within the City limits and in neighborhoods adjacent to the river. (GS 3042875)

Council President Lantry amended the resolution as follows and moved to lay over for one week. Page 14 recognizing the barge companies desire for fleeting and the community desire for increased access along the river's edge."; page 25 "Investigate daylighting Trout Brook Creek and connecting Gateway Trail to the river."; page 25 adding a new bullet to read "Investigate physically and visually opening up the railroad structure between Lowertown and the river"; page 25 adding a new bullet to read "To the greatest extent possible, explore the continuation of the river's edge trail"; page 27 add a new bullet to read "Complete acquisition of bluffs for preservation, open space and green corridors."; page 27 add a new bullet to read "Explore the implementation of the

<u>Highwood Trail Plan."</u>; page 27 add a new bullet to read <u>"Investigate the acquisition of Highwood Pond."</u>; page 27 add a new bullet to read <u>"Create a plan for the development of a trail from Henry Park through Pig's Eye to the River."</u>; and on page 27 add a new bullet to read <u>"Take advantage of the reconstruction of the Fish Hatchery Bridge to consider trail and road connections and river's edge enhancements."</u>

There was discussion among Councilmembers pertaining to public art spaces in other states, and there was agreement to hear the staff report and testimony from those present.

Lucy Thompson, Department of Planning and Economic Development, presented a staff report and a brief overview and answered questions of Councilmembers. Council President Lantry stated she would like to review the comments of the Planning Commission.

Gregory Page, Saint Paul Riverfront Corporation, appeared and spoke in support of the resolution and to the community's vision of this Park.

Tom Diamond appeared and spoke in support of the resolution, outlined several points, and gave an overview of concepts and connections to better emphasize bridges.

Peggy Lynch, Executive Director with Friends of the Park and Trails, spoke in support of the resolution and urged the Council to approve the resolution.

Councilmember Helgen moved to close the public hearing and to lay the resolution over to September 26. Yeas -7 Nays -0

33. Resolution - 07-871 – Approving adverse action against all licenses held by Tony's Amoco, Inc., 374 Lexington Parkway North.

Rachel Tierney, Assistant City Attorney, representing the Department of Safety and Inspections, appeared and presented a staff report. She said numerous attempts had been made to contact the owner and he never returned their phone calls. The Council does have authority to deviate from the matrix should they find compelling reasons to do so.

The owner of Tony's Amoco, appeared and said he frequently goes out of the Country and was gone for 45 days and did not get messages from the City. He said he feels this is a large fee and referred to other fees he's paid in the past for previous offense. Councilmember Benanav said the City contacted his place of business numerous times between June 7 and July 17, left their business cards, and were told that a message would be given to him.

Councilmember Montgomery moved to close the public hearing. Yeas -7 Nays -0

Ms. Tierney said this item is before the Council at the owner's request. He is not denying the facts but only to the amount of the penalty.

Councilmember Benanav moved to amend the resolution from \$500 to \$1,000 fine, and that the Council finds the following substantial and compelling reasons to deviate from the proposed \$500 fine: 1) Licensee never complied with the request of the Saint Paul Police Department to produce a video from June 11, 2007; 2) Licensee failed to contact the Saint Paul Police Department despite his knowledge of repeated requests from the Saint Paul Police Department; 3) Once in contact with the Saint Paul Police Department, licensee failed to produce video as promised and again left the country without contacting the Saint Paul Police Department as licensee had promised; and 4) The Saint Paul Police Department pursued the recording for over a month.

Councilmember Montgomery seconded the motion.

Adopted as amended

Yeas - 7

Nays - 0

34. Final Order – 07-872 – In the matter of the Seventh Place Mall Operation and Maintenance Costs to 2007. [File No. 18428-2007]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted

Yeas - 7

Nays - 0

35. Resolution Ratifying Assessment – 07-873 – In the matter of the assessment of benefits, costs and expenses for the Seventh Place Mall Operation and Maintenance Costs for 2006. [File No. 18428-2006]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted

Yeas - 7

Navs - 0

36. Resolution Ratifying Assessment - 07-874 – In the matter of the assessment of benefits, costs, and expenses for improving the alley in Stinson's Subdivision of Block 10, Stinson, Brown and Ramsey' Addition by constructing a storm sewer and grading/paving with bituminous material. [File No. 19016]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted

Yeas - 7

Nays - 0

37. Resolution Ratifying Assessment – 07-875 – In the matter of the assessment of benefits, costs and expenses for the installation of a 3-globe and 5-globe Above Standard Street Lighting System in the area known as Wacouta Commons Park. [File No. 19028]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

38. Resolution Ratifying Assessment – 07-876 – In the matter of constructing a new concrete curb and sidewalk and a new Above Standard Twin Globe Lantern Street Lighting System on Rice Street from Front Avenue to Rose Avenue. [File No. 19040]

No one appeared in opposition; Councilmember Helgen moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

39. Resolution Ratifying Assessment – 07-877 – In the matter of reconstruction of sidewalk with integral curb on Grand Avenue from Oxford Street to approximately 100 feet west of Oxford Avenue and reconstruction of sidewalk on Oxford Street from Grand Avenue to approximately 150 feet north of Grand Avenue as requested by the property owner at 1041, 1043 and 1047 Grand Avenue (Oxford Square). [File No. 18976SW]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

40. Resolution Ratifying Assessment - 07-878 – In the matter of the assessments of benefits, costs, and expenses for improving Davern Street from Shepard Road to West Seventh Street. [File No. 19037]

No one appeared in opposition; Councilmember Harris moved to continue the public hearing to October 3, 2007.

Public hearing continued to October 3 Yeas - 7 Nays - 0

41. Resolution Ratifying Assessment – 07-879 – In the matter of the assessment of benefits, costs, and expenses for improving the alley in West Side Land and Cottage Companies Subdivision of Block 36 by grading and paving with bituminous material. [File No. 19017]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

42. Resolution Ratifying Assessment – 07-880 – In the matter of the assessment of benefits, costs, and expenses for improving the alley in Wynne's Addition, Block 1, by grading and paving with bituminous material. [File No. 19018]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

43. Resolution Ratifying Assessment – 07-881 – In the matter of the assessment of benefits, costs and expenses for tenant remedy action rehabilitation for the property at 2254 Matterhorn in June, 2007. [File No. TR0707]

No one appeared in opposition; Councilmember Thune moved to close the public hearing and approval.

Adopted Yeas - 7 Nays - 0

44. Public hearing to consider the application of Richard O'Gara, Great Northern Railway Company, for a Subdivision by lot split to create two industrial parcels with variance of requirement that lots are previously platted land at 0 Westgate Drive, area northwest of Highway 280 and BNSF Main Line. (Zoning File No. 07-128-931)

No one appeared in opposition; Councilmember Benanav moved to close the public hearing and approval.

Motion of Intent – Application Approved Yeas – 7 Nays - 0

45. Public hearing to consider the appeal of Judith Beck and 31 neighbors to a decision of the Board of Zoning Appeals approving variances for lot coverage and setbacks to redevelop the St. Paul Church Home site for senior housing with underground parking and town homes at 484 Ashland Avenue. (ZF 07-137-535)

At the request of the applicant, Councilmember Montgomery moved to continue the public hearing to October 3.

Public hearing continued to October 3 Yeas - 7 Nays - 0

Councilmember Thune was excused from the meeting at this point.

46. Appeal of Tom Dimond to a decision of the Planning Commission approving the vegetation plan for the floodwall and sewer work at Holman Field, 644 Bayfield Street. (Note: the public hearing will be held and continued to October 3, 2007 due to lack of proper notification.)

Council President Lantry stated there was miscommunication pertaining to the date for this public hearing and it will be continued to October 3 in order for all persons to be heard. Because someone was present to speak, she requested a staff report which Tom Beach, Department of Safety and Inspections, presented along with a brief overview.

Pat Mosites appeared representing the Metropolitan Airport Commission, and spoke to their response of the appeal.

There was considerable discussion among Councilmembers and agreement to lay further discussion over to the October 3 public hearing.

Public hearing continued to October 3 Yeas – 7 Nays - 0

47. Resolution – 07-882 – Ordering the owner to remove the property at 970 Concordia Avenue within fifteen (15) days from adoption of resolution. (Legislative Hearing Officer recommends approval)

Marcia Moermondm Legislative Hearing Officer, presented a staff report. No one appeared in opposition; Councilmember Montgomery moved to close the public hearing and approval

Adopted Yeas -6 Nays -0 (Thune excused)

48. Resolution – 07-883 – Ordering the owner to remove the property at 1016 Edgerton Street within fifteen (15) days from adoption of resolution. (Legislative Hearing Officer recommends approval)

Marcia Moermond, Legislative Hearing Officer, presented a staff report. No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and to amend the resolution to remove within five days.

Adopted as amended Yeas -6 Nays -0 (Thune excused)

49. Resolution – 07-884 – Ordering the owner to remove the property at 735 Smith Avenue South within fifteen (15) days from adoption of resolution. (Legislative Hearing Officer recommends approval)

Marcia Moermond, Legislative Hearing Officer, presented a staff report. No one appeared in opposition; Councilmember Harris moved to close the public hearing and approval.

Adopted Yeas -6 Nays -0 (Thune excused)

50. Resolution Ratifying Assessment – 07-885 – In the matter of the assessment of benefits, costs, and expenses for summary abatement (property clean-up) at 1132 Central Avenue West (J0710A1) (Laid over from September 5) (Legislative Hearing Officer recommends approving the assessment)

Marcia Moermond, Legislative Hearing Officer, presented a staff report. The property owner appeared and said he had not received notice from the City to clean up the property. The lumber was there because he's doing work on the home.

Councilmember Montgomery moved to close the public hearing.

Yeas -6 Nays -0 (Thune not present)

Councilmember Montgomery moved approval of the resolution.

Adopted Yeas - 6 Nays - 0 (Thune excused)

51. Resolution Ratifying Assessment – 07-886– In the matter of the assessment of benefits, costs, and expenses for summary abatements (graffiti removal) on private properties from June 26 to July 10, 2007 [ J0701P]; summary abatements (property clean-up) on private properties from July 2 to July 12, 2007 [J0711A]; providing weekly garbage hauling services from July 5 to July 12, 2007 [J0711G]; demolition of vacant buildings at 1130 Margaret Street and 123 Atwater Street during July, 2007 [J0709C]; summary abatement (property clean-up) at 2434 University Avenue West on May 23, 2007 [J0709A1]; and summary abatement for the excessive consumption of inspection services for property code violations billed from March 5 to April 6, 2007 [J0703E]. (GS 3042230) (Legislative Hearing Officer recommends the following:

784 Agate Street (J0711A) - approve the assessment;

1826 Case Avenue (J0703E) - approve the assessment;

519 Cleveland Avenue North (J0701P) - delete the assessment;

760 Cleveland Avenue South (J0701P) - delete the assessment;

<u>670 Desoto Street</u> (J0711A) - reduce the assessment from a total of \$358 to a total of \$170;

1310 Farrington Street (J0701P) - delete the assessment;

996 Fremont Avenue (J0711G) - reduce the assessment from a total of \$120 to a total of \$50;

202 Genesee Street (J0711G) - approve the assessment;

715 Geranium Avenue West (J0701P) - delete the assessment;

924 Iglehart Avenue (J0711A) - delete the assessment;

119 Jessamine Avenue West (J0701P) - delete the assessment;

1232 Matilda Street (J0701P) - delete the assessment;

<u>1175 Minnehaha Avenue West</u> (J0711A) - approve the assessment and spread the payments over five (5) years;

695 Ohio Street (J0711A) - reduce the assessment from a total of \$574 to a total of \$100;

2012 Princeton Avenue (J0701P) - delete the assessment;

2065 Randolph Avenue (J0701P) - delete the assessment;

1161 St. Clair Avenue (J0701P) - delete the assessment;

833 Selby Avenue (J0711A) - approve the assessment;

770 Seventh Street East (J0711A) - approve the assessment; laid over to October 17th

774-776 Seventh Street East (J0711A) - approve the assessment; delete the assessment

1250 Seventh Street West (J0701P) - delete the assessment;

1324 Seventh Street East (J0701P) - delete the assessment;

1605 University Avenue West (J0701P) - delete the assessment;

543 Smith Avenue South (J0703E) - approve the assessment;

1449 University Avenue West (J0701P) - delete the assessment;

2434 University Avenue West (J0701P) - delete the assessment; and

426 Wabasha Street South (J0701P) - delete the assessment.)

#### Additional addresses:

811 Tatum Street (J0711A) - delete the assessment; and

1455 University Avenue West (J0701P) - delete the assessment.

Marcia Moermond, Legislative Hearing Officer, presented a staff report requesting that 770 Seventh Street East be laid over to October 17, and noting two additional properties, 811 Tatum Street and 1455 University Avenue West, with her recommendation that the assessments be deleted on both properties.

No one appeared in opposition; Councilmember Helgen moved to close the public hearing. Yeas -6 Nays -0 (Thune excused)

Councilmember Helgen said three properties are in his Ward because of graffiti and he would like to discuss policy changes to that issue. Council President Lantry stated that policy changes can be discussed at a future meeting.

Councilmember Bostrom moved approval of the resolution as amended. Adopted as amended (per the recommendation of the Legislative Hearing Officer) Yeas - 6 Nays - 0 (Thune excused)

52. Appeal of Teri and James Rhodes to a Vehicle Abatement Order for property at <u>708</u> Watson Avenue.

Withdrawn

53. Appeal of James Perry to a Vehicle Abatement Order for property at <u>845 Stryker Avenue</u>. (Legislative Hearing Officer recommends denying the appeal and granting an extension to October 6, 2007)

No one appeared in opposition; Councilmember Benanav moved to deny the appeal and grant an extension to October 6, 2007

Appeal denied and extension granted to October 6 (per recommendation of the Legislative Hearing Officer)

Yeas -6 Nays -0 (Thune excused)

Councilmember Bostrom moved to adjourn the m	eeting.	Yeas – 6	Nays - 0
ATTEST:	ADJO	OURNED at 7	7:20 P.M.
Mary Erickson Assistant Council Secretary	Kathy	Lantry, Council President	
Submitted by: Pattie Kelley		November 21, 2007_ tes approved by Council	